

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

CALEB CRABTREE and
ADRIANE CRABTREE
as assignees of the claims of CASEY COTTON

PLAINTIFFS

v.

CIVIL ACTION NO. 1:22-cv-348-LG-BWR

ALLSTATE PROPERTY AND CASUALTY
INSURANCE COMPANY and JOHN DOES 1-5

DEFENDANT

AGREED ORDER STAYING CASE

BEFORE THE COURT is the [12] Motion to Stay Case filed by the
Plaintiffs Caleb Crabtree and Adriane Crabtree.¹

The Crabtrees filed an earlier action, which was styled *Crabtree v. Allstate*, 1:21-cv-399-TBM-BWR (S.D. Miss.) (“the 2021 Lawsuit”). On December 19, 2022, Judge McNeel entered an order dismissing the 2021 Lawsuit without prejudice. (*2021 Lawsuit*, ECF [121]). The Crabtrees then filed this action on December 22, 2022. (ECF [1]). On January 16, 2023, the Crabtrees filed a motion in the 2021 Lawsuit, requesting that Judge McNeel alter or amend the judgment. (*2021 Lawsuit*, ECF [154]). And on January 25, 2023, Allstate filed two dispositive motions [8], [10], in this action. Given this outstanding motion to alter or amend in the 2021 Lawsuit, the Crabtrees have moved to stay this case until Judge McNeel

¹ The Crabtrees have, alternatively, requested consolidation and reassignment. Allstate has agreed to, and the Court hereby grants, the stay, so the Court need not address the alternative relief the Crabtrees have requested.

can rule on the Crabtrees' pending motion. Allstate does not oppose the request for a stay.

IT IS THEREFORE ORDERED AND ADJUDGED that the [12] Motion to Stay Case is **GRANTED** as unopposed. This case is hereby stayed until Judge McNeel issues a ruling on the Crabtrees' motion to alter or amend the judgment in Cause No. 1:21-cv-399-TBM-BWR.

IT IS FURTHER ORDERED AND ADJUDGED that, if Judge McNeel grants the motion to alter or amend and reopens the 2021 Lawsuit, the parties are instructed to meet, confer, and report on the status of this case within fourteen days of Judge McNeel's order.

IT IS FURTHER ORDERED AND ADJUDGED that, if Judge McNeel denies the motion to alter or amend, the Crabtrees are ordered to (1) submit an order lifting the stay within seven days of Judge McNeel's order and (2) respond to Allstate's dispositive motions [8], [10] within fourteen days of Judge McNeel's order.

IT IS FURTHER ORDERED AND ADJUDGED that the [12] Motion to Consolidate and [12] Motion to Reassign Case are **MOOT**.

SO ORDERED AND ADJUDGED this the 31st day of January, 2023.

s/ *Louis Guirola, Jr.*

Louis Guirola, Jr.
United States District Judge

AGREED:

/s/ *Samuel S. McHard*

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